

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

Criminal No. 5:09-CR-143-H  
Civil No. 5:11-CV-332-H

MACON ALAN SHAW  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

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ORDER

Having conducted an examination of petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings and it appearing that dismissal is not warranted at this time, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty (40)** days of the filing of this order.

SO ORDERED.

This the 1<sup>st</sup> day of September, 2011.



Malcolm J. Howard  
Senior United States District Judge